

REMARKS

Claim 59-67, and 78-83 are pending the application. Claims XX, and X have been amended. No claims have been allowed.

Objection to the specification under 35 U.S.C. § 112

The specification was objected to under 35 U.S.C. § 112, first paragraph as failing to support the subject matter set forth in the claims. Applicants respectfully submit that this objection is not proper because if it is true that the claims are not supported by the specification it is not possible to add new matter by amendment to the specification such as to support the claims. Applicants further submit that this objection is superfluous in view of the claim rejection under the same U.S. Code section. Reference MPEP § 706.03(c), which states that “Form paragraphs **7.30.01** and **7.30.02** are to be used ONLY ONCE in a given Office action.”

While Applicants do not concede that the claims are not supported by the specification as filed, Applicants have amended the claims to eliminate the indicated language. Therefore, the objection, if proper, is moot. Applicants respectfully request withdrawal of the objection.

Rejection under 35 U.S.C. § 112, first paragraph

Claims 59-67, and 78-82 were rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. Although the Office action is not clear because specific claim language is singled out in the objection to the specification rather than in the rejection of the claims, in order to obviate the rejection, Applicants have amended the claims to eliminate the language indicated in the objection to the specification.

Applicants respectfully submit that support for the subject matter as amended is found explicitly in the specification and drawings as originally filed. For convenience, this is summarized below. Applicants provide the following information as examples of areas of Applicants’ original disclosure that support the claim language, and the information is not intended to be exclusive.

page 9, paragraph 1: “client computer 114”

page 9, last three lines: “Client computer 114 may access network 108 in different ways. First, client computer 114 may directly access network 108, for example, by using a modem to access a public telephone network (e.g., a public switched telephone network (PSTN)) that is coupled to network 108. Alternately, client computer 114 may access financial information provider 116, which establishes a connection to network 108.”

page 11, second paragraph: “Client computer 136 is capable of accessing financial institution server 132 via a communication link 142 and accessing financial institution server 134 via a communication link 144. For example, the user of client computer 136 may retrieve account information or interest rate information from one or both of the financial institution servers 132, 134. Client computer 136 is also capable of interacting with financial management system 138 via a communication link 146. The user of client computer 136 may access financial management system 138, for example, to have the system analyze the user’s financial accounts.”

page 13, third paragraph: “The remote computers may be personal computers, servers, routers, or peer devices. In a networked environment, some or all of the program modules executed by computer 180 may be retrieved from another computing device coupled to the network.”

page 12, second paragraph: “A computer such as that shown in Fig. 3 can be used, for example, to perform various financial analysis operations such as accessing and analyzing a user’s financial account information to make account recommendations. Computer 180 can also be used to access a web site or other computing facility to access the various financial analysis functions. The computer shown in Fig. 3 can function as a server, a client computer, or a financial management system, of the types discussed herein.”

page 32, second paragraph: Figs. 14-15 illustrate exemplary user interface screens illustrating various account entry fields and account recommendations. Fig. 14 illustrates an example screen 500 generated by a web browser or other application that

allows a user to enter account information and preferences.”

page 33, second paragraph: “Fig. 15 illustrates another example screen 550 generated by a web browser or other application that allows a user to review recommendations generated by the financial management system.”

The above cited passages, along with the cited figures satisfy the written description requirement of 35 U.S.C. § 112. Applicants therefore respectfully request withdrawal of the rejections.

Rejection under 35 U.S.C. § 103

Claims 59-67, and 78-83 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Grant et al. (U.S. Patent 4,694,397, hereinafter “Grant”). Applicants respectfully submit that the invention of claims 59-67, and 78-83 would not have been obvious to one of ordinary skill in the art in view of the cited references.

Grant discloses a specific interface (see elements 32 and 38 of Figure 1 for example) between a banking computer system and a brokerage computer system. Grant was published in 1987, before online banking became ubiquitous. The Abstract states:

Apparatus is provided for interfacing a banking system and a brokerage system having a number of brokerage offices. Clients having both a brokerage and a banking account transact both brokerage and banking activities from the brokerage office. Automatic transaction processing within and between the banking and brokerage systems is created in response to a client transaction activity originated at a brokerage office.
(Emphasis added)

Grant is confined to describing a specially designed system that allows a brokerage employee to conduct transactions on behalf of a customer that may involve a specially designated bank that cooperates by having installed a specially designed interface (interface 38). Column 3, line 59-column 4, line 5 and Figure 2 describe the operation of the Grant system. All transactions are conducted on the brokerage computer system 14 by “brokerage operations personnel or brokerage salesperson through a pre-established sign-on procedure...” Grant describes a system that would

be considered relatively primitive in comparison with the claimed invention. In order for the brokerage and the bank to communicate and conduct transactions, the specific interface 32 and 38 must first be in place. In order for a customer to take advantage of the brokerage/banking setup, the customer must be recognized beforehand as having “dual status”.

Briefly, the banking/brokerage interface system recognizes at the start of either a banking or brokerage activity initiated from a brokerage terminal 18, 18 [sic] whether a customer has a dual status. The status information is transmitted to the banking/brokerage interface portion designated generally at 32 from the brokerage system 12 via a data bus designated generally at 34. The interface 32 initiates a connection to and provides the appropriate supervisory signals for the data communications link designated generally at 36 to access the banking/brokerage interface designated generally at 38 at the banking system location. The interface 38 in turn communicates with the banking computer system via a data bus designated generally at 40 to complete the data information path between the banking system 22 and the brokerage system 12.

(Column 3, lines 16-31).

Further, Grant requires a cumbersome process to properly reconcile financial transactions involving the bank that are conducted from the brokerage. For example:

In general, brokerage systems do not maintain sufficient previous pricing information and historical data to properly reverse all actions taken to recalculate the available funds in the account. Therefore, it is necessary to manually retrieve [sic] the appropriate previous pricing information and historical data in order to calculate the available funds in the account.

(Column 5, lines 5-12).

Grant clearly fails to teach or suggest a method as claimed, including:

a processor-based financial management system receiving identification information for a plurality of financial accounts from a user, wherein the identification information is entered by the user in a client computer and transmitted to the financial management system via a communications network according to standard protocols accessible to any user of the network;

the financial management system identifying a first account balance associated with a first account of the plurality of financial accounts, wherein the first account is associated with a first financial institution, and wherein the financial management system is coupled via a network to the first financial institution;

the financial management system further identifying a second account balance associated with a second account of the plurality of financial accounts, wherein the second account is associated with a second financial institution, the second financial institution being independent of the first financial institution, and wherein the financial management system is coupled to the second financial institution via the network;

obtaining account information from the first and second accounts using access information provided by an account holder, comprising accessing each of the first and second financial institutions separately via the network;

the financial management system comparing the first account balance to a particular value;

if the first account balance exceeds the particular value, the financial management system recommending a transfer of funds from the first account to the second account associated with the second financial institution, wherein the first account and the second account have a common account holder, and wherein the recommendation to transfer funds identifies an amount to be transferred equal to the value by which the first account balance exceeds the particular value; and

if the first account balance is below the particular value, the financial management system recommending a transfer of funds from the second account to the first account.

(Amended claim 1, emphasis added)

Applicants respectfully submit that Grant specifically teaches away from at least the underlined elements, which will each be discussed below;

1. a processor-based financial management system receiving identification information for a plurality of financial accounts from a user, wherein the identification information is entered by the user in a client computer and transmitted to the financial management system via a communications network according to standard protocols accessible to any user of the network

Grant teaches away from the above by teaching instead accessing one bank account from one brokerage institution (in contrast to a plurality of financial accounts)

via two special interfaces required to reside on the bank side and on the brokerage side. The communication contemplated in Grant is not via a communications network as claimed. In contrast to Grant, the claimed invention includes communication among a novel financial management system and multiple financial institutions, all of which are coupled to a communications network according to standard protocols accessible to any user of the network, wherein communication via the communications network does not require pre-planned or proprietary arrangements, as are required by Grant.

In further contrast, information is entered only by a brokerage employee at a brokerage computer according to Grant, not by a user on a client computer. Yet further, facilitated by the special interfaces, particular protocols must be followed to execute the described transactions in Grant (e.g., "A "hand-shaking" sequence verifies that both the banking and the brokerage computer systems are able to transmit and receive data information from one another. (Column 5, lines 46-49)).

2. the second financial institution being independent of the first financial institution

In Grant, so much cooperation and infrastructure commonality is preplanned (for example, the interfaces 32 and 38 and the communication protocol) that the brokerage and the bank of Grant are not independent.

3. accessing each of the first and second financial institutions separately via the network

Grant very clearly teaches away from accessing more than one institution via any network at all. In Grant it is required (see for example Column 3, line 59-column 4, line 5) that transactions be conducted from one of the institutions, specifically from the brokerage computer.

For all of the reasons given above, one of ordinary skill in the art would not have been motivated to modify Grant at the time in order to achieve the present invention. Grant, in so clearly teaching a system and method that is an awkward attempt to provide networked banking prior to the era of true online and network banking capability, fails to suggest the claimed invention. Therefore, Applicants

respectfully submit that Claim 59 and its dependent claims (which but include further limitations) are allowable over Grant. Claim 83 includes similar limitations to those distinguished with reference to claim 59, and is therefore allowable for the same reasons discussed with reference to claim 59.

CONCLUSION

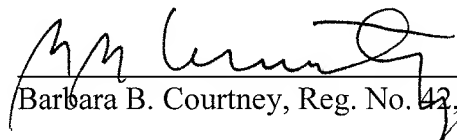
In view of the foregoing amendments and remarks, Applicants respectfully submit that claims 59-67, and 78-83 are in condition for allowance. The allowance of the claims is earnestly requested. The Examiner is respectfully invited to call the undersigned if there are any issues that remain to be resolved prior to allowance of the claims.

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Please charge deposit account 503616 for any fees due and not already paid herewith.

Respectfully submitted,
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